

1 OF 5

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA

RECEIVED
2008 FEB 15 A 8 39
NORTHERN DIVISION

DEBRA P. HACKETT, CLK
U.S. DISTRICT COURT
MIDDLE DISTRICT ALA

NATHANIEL SHAW,
PLAINTIFF,

V.

D. T. MARSHALL, et al,
DEFENDANTS.

CASE NO. 2:07-CV-606-ID

NOTICE OF APPEAL

COMES NOW THE PLAINTIFF NATHANIEL SHAW,
(PROSE) IN ACCORDANCE WITH THE FEDERAL
RULES OF CIVIL PROCEDURE PURSUANT TO THE
APPROPRIATE RULE AND AUTHORITY AND
MOVES THIS HONORABLE COURT TO ENTER
THE PLAINTIFF NOTICE OF APPEAL TO THE
UNITED STATES COURT OF APPEAL.

GROUND

THE PLAINTIFF IN THE ABOVE CAPTION
CASE NUMBER ON DECEMBER 28, 2007 THE
PLAINTIFF FILE A MOTION FOR LEAVE
TO FILE MOTION FOR DECLARATORY JUDGMENT
THAT THE ISSUE OF A FULL BLOWN

2 OF 5

CONSPIRACY DISPLAYED BY THE DEFENDANTS OF THE MONTGOMERY CITY POLICE DEPARTMENT IN THE PLAIN VIEW OF THIS HONORABLE COURT MIGHT BE RESOLVED. THE COURT ON JANUARY 9th 2008 DENIED THE PLAINTIFF MOTION (COURT DOC. NO 62) (SEE ORDER ON MOTION DOCUMENT #: 63-1 AND DOCUMENT #: 65-1). ON JANUARY 10th 2008 THE PLAINTIFF NATHANIEL SHAW, FILED AN NOTICE OF APPEAL WITH A CERTIFICATE OF SERVICE ATTACHED DATED JANUARY 10th 2008 FORWARDED TO: OFFICE OF THE CLERK, UNITED STATES DISTRICT COURT P.O. BOX 711 MONTGOMERY, ALABAMA 36101-0711. A COPY ALSO TO ATTORNEY ALLISON H. HIGHLEY, CITY ATTORNEY P.O. BOX 1111 MONTGOMERY, ALABAMA 36104. ON FEBRUARY 4th 2008 THE PLAINTIFF RECEIVED A COURT ORDER (DOCUMENT #: 67-1) STATING UPON CONSIDERATION OF PLAINTIFF NATHANIEL SHAW'S NOTICE OF APPEAL, FILE JANUARY 31, 2008 (DOC. NO. 66), WHICH THE COURT CONSTRUES AS AN OBJECTION. THE MOTION STATED THAT IT WAS A NOTICE OF APPEAL AND SHOULDN'T BE CONSTRUED AS ANYTHING

3 of 5

DIFFERENT. THE PLAINTIFF STATES THAT THE DEFENDANTS OPEN DENIAL OF ACCESS TO THE COURT AND A PLAIN VIEW CONSPIRACY DISPLAYED IN THIS HONORABLE COURT COMPELL THE PLAINTIFF TO QUESTION THE TWENTY-ONE (21) DAY DELAY IN THE FILING OF THE PLAINTIFF NOTICE OF APPEAL SEE (DOC. NO. 66) AND THE CERTIFICATE OF SERVICE ATTACHED THERETO. THE PLAINTIFF REQUEST OF THE COURT TO COMPARE (DOC. NO. 66) AND (DOCUMENT 67-1) AND HELP THE PLAINTIFF TO FIND WHO IS RESPONSIBLE FOR THE (21) DAY DELAY, THE DEFENDANTS OR THE OFFICE OF THE CLERK. THE PLAINTIFF IN AN EFFORT TO SEE THAT THE ISSUE OF A CONSPIRACY DISPLAYED IN A UNITED STATES DISTRICT COURT, THAT HAS LEFT THE PLAINTIFF WITHOUT VISION IN HIS LEFT EYE. THE PLAINTIFF IS FORWARDING A COPY OF THIS NOTICE OF APPEAL TO THE UNITED STATES COURT OF APPEAL FOR REVIEW OF THE CASE FILE THAT BRING THIS NOTICE OF APPEAL.

IT IS SO PRAYED
UNDER THE PENALTY OF PERJURY.

4 OF 5

DONE ON THIS 13th DAY OF FEBRUARY
2008

RESPECTFULLY SUBMITTED

Nathaniel Shaw

NATHANIEL SHAW

89354 M.C.D.F

P.O. BOX 4599

MONTGOMERY, ALABAMA

36103

5 OF 5

CERTIFICATE OF SERVICE

I CERTIFY THAT A TRUE AND CORRECT COPY OF THE FOREGOING HAS BEEN FURNISH VIA U.S. MAIL POSTAGE PREPAID TO AS FOLLOWS: ON THIS 13TH DAY OF FEBRUARY 2008.

OFFICE OF CLERK
UNITED STATES DISTRICT COURT
P.O. BOX 711
MONTGOMERY, ALABAMA
36101-0711

OFFICE OF CLERK
UNITED STATES COURT OF APPEAL
FOR THE 11TH CIRCUIT
56 FORSYTH STREET N.W.
ATLANTA, GEORGIA
30303

ATTORNEY ALLISON H. HIGHLEY
CITY ATTORNEY
P.O. BOX 1111
MONTGOMERY, ALABAMA
36104

SIGNED:
Nathaniel Shaw
NATHANIEL SHAW
89354 M.C.D.F.
P.O. BOX 4599
MONTGOMERY, AL
36123